

THE HONORABLE ROBERT J. BRYAN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

THE CITY OF TACOMA, a municipal
corporation,

Plaintiff,

v.

GREAT AMERICAN INSURANCE
COMPANIES, an Ohio corporation, et al.,

Defendants.

NO. C97-5504 RJB

ORDER

THIS MATTER having come before the Court pursuant to the Stipulation of the City of Tacoma and Great American Insurance Companies it is hereby

ORDERED, ADJUDGED and DECREED

The Court hereby accepts as stipulated in connection with the parties' cross motions for summary judgment regarding defense costs:

During the period July 13, 1999 to January 2005 Great American (a) did not assert that the 1994 Settlement Agreement and Release released the City's NRDA defense costs, and; (b) recognized and agreed to pay portions of the City's NRDA defense costs claim, although the parties disagreed on the amounts that Great American should pay.

1 Further, the Court hereby strikes Exhibit C to the Supplemental Declaration of
2 Timothy J. Whitters [part of Docket No. 133].

3 IT IS SO ORDERED this 4th day of August, 2005.
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7 ROBERT J. BRYAN
8 United States District Judge
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